

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE EXECUTION OF  
AN AGREEMENT OF MUTUAL RESCISSION  
BETWEEN WEST VALLEY CITY AND NICHOLS  
BUILDING, LLC FOR THE 6400 WEST STORM DRAIN  
PROJECT.**

**WHEREAS**, West Valley City and Nichols Building, LLC (“Nichols”) desires to enter into an Agreement of Mutual Rescission for the 6400 West Storm Drain Project which was previously approved under Resolution No. 09-282; and

**WHEREAS**, an agreement (the “Agreement”) has been prepared for execution by and between the City and Nichols. This agreement, which is attached hereto and entitled “Mutual Rescission of Contract,” sets forth the rights, duties and obligations of each of the parties with respect thereto; and

**WHEREAS**, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to authorize the execution of the Agreement with Nichols;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of West Valley City, Utah, that the Agreement with Nichols is hereby approved in substantially the form attached, and that the Mayor is hereby authorized to execute said Agreement for and on behalf of West Valley City, subject to approval of the final form of the Agreement by the City Manager and the City Attorney’s Office.

**PASSED, APPROVED, and MADE EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER